MHRG190007812023

:: ORDER BELOW EXH.29 IN L.A.R.No.95/2020 ::

Present application is filed by the applicants to struck off the evidence of the respondents.

2. It is the contention of the applicants that, the present reference application is pending for evidence of the respondents since last many dates. The respondents have not taken any sincere steps to lead their evidence. The respondents are not attending the court to look after the matter personally. The behavior of the respondents prejudiced the interest of the applicants. Therefore, they have prayed for strucking off their evidence.

3. The respondent No.3 has filed his say below Exh.30. He has denied all the allegations made in the application. It is his contention that, present reference is an original proceeding where the Court must determine the market value afresh based on proved material. The respondents have a legal right to lead rebuttal evidence to ensure that the compensation awarded is fair and based on accurate data, which requires time for internal verification and coordination between departments. The applicants are

already entitled to statutory interest under the law for any period of delay in payment. Therefore, no irreparable loss or prejudice is caused to them by ensuring a complete and fair trial where all parties are heard. The respondents undertake to take sincere steps to lead evidence. Therefore, prayed for rejection of the application.

Heard arguments of both sides. Perused the case file. From roznama, it reveals that the respondents have examined Gunvant Tanaji Shelar as R.W.1 below Exh.32 and have given evidence close pursis below Exh.59. Reasons given in the application are not tenable in this respect. Therefore, it is necessary to reject the application. Hence, I pass the following order.

:: O R D E R ::

The application is rejected.

JADHAV HEMLATA RAVINDRA
Digitally signed by JADHAV HEMLATA RAVINDRA
Date: 2026.05.02 11:41:54 +0530

Place: Mahad
Date : 02.05.2026

(Smt. H. R. Jadhav)
Civil Judge, Senior Division
Mahad

Date 02.05.2026